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**FROMMER LAWRENCE & HAUG LLP**

745 Fifth Avenue  
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**FACSIMILE COVER LETTER**

**To:** EXAMINER DAVID A. SAUNDERS  
**Firm:** PTO  
**Facsimile No.:** 703-872-9307  
**From:** THOMAS J. KOWALSKI, ESQ.  
**Date:** July 30, 2003  
**Re:** USSN 09/742,520  
FILED: DECEMBER 20, 2000  
OUR REF: 674528-2001.2

**No. of Pages:** 6  
(including cover page)

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sj11527


PATENT  
674528-2001.2**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : ABULJADAYEL  
Serial No. : 09/742,520  
For : METHOD OF INCREASING THE RELATIVE NUMBER  
OF CD45 LOW CELLS IN A CELL POPULATION  
Filed : December 20, 2000  
Examiner : David A. Saunders  
Art Unit : 1644

745 Fifth Avenue, New York, NY 10151  
**EXPEDITED PROCEDURE**  
**RESPONSE AFTER FINAL ACTION**  
**UNDER 37 C.F.R. §1.116**

I hereby certify that this correspondence is being deposited with  
the United States Postal Service as first class mail in an envelope addressed  
to: Mail Stop AF, Commissioner For Patents, P.O. Box 1450, Alexandria,  
VA 22313-1450, on May 21, 2003.

Amy Leahy, Reg. No. 47,739  
Name of Applicant, Assignee or Registered Representative

  
\_\_\_\_\_  
Signature  
May 21, 2003  
Date of Signature

**NOTICE OF APPEAL**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

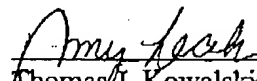
Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the  
decision of the final Office Action, mailed November 21, 2002. Our check in the amount of  
\$160.00 is enclosed to cover the appeal fee for a small entity required by 35 U.S.C. §41(a)(6)  
and 37 C.F.R. §1.17(e).

Please charge any additional fees required for the Notice of Appeal or otherwise  
occasioned by this paper or credit any overpayments to Deposit Account No. 50-0320.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP

By:

  
\_\_\_\_\_  
Thomas J. Kowalski, Reg. No. 32,147  
Amy Leahy, Reg. No. 47,739  
Tel (212) 588-0800  
Fax (212) 588-0500  
Email [TKowalski@FLHLaw.com](mailto:TKowalski@FLHLaw.com)



PATENT  
674528-2001.2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : ABULJADAYEL  
Serial No. : 09/742,520  
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745 Fifth Avenue, New York, NY 10151

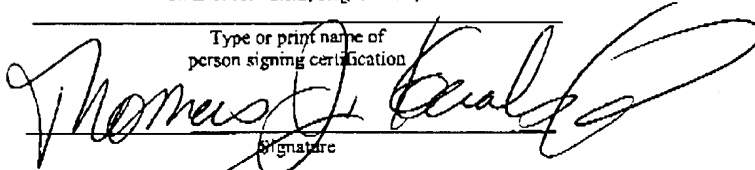
**EXPEDITED PROCEDURE**  
**RESPONSE AFTER FINAL ACTION**  
**UNDER 37 C.F.R. §1.116**

**FACSIMILE**

I hereby certify that this paper is being facsimile transmitted to the  
Patent and Trademark Office on the date shown below.

Thomas J. Kowalski, Reg. No. 32,147

Type or print name of  
person signing certification



Signature

July 30, 2003

Date of Signature

**COMMUNICATION FORWARDING PREVIOUSLY FILED NOTICE OF APPEAL**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Further to the telephone conversation between the undersigned and Examiner Saunders, for which Examiner Saunders is thanked for the courtesies extended therein, submitted herewith is a true copy of the Notice of Appeal filed by First Class mail on May 21, 2003. Also enclosed is a true copy of the check in payment of the fee therefore and a true copy of the return receipt postcard which accompanied the Notice of Appeal. The return receipt postcard was stamped as received at the Patent Office on May 28, 2003, such that it is believed an Appeal Brief was due on July 28, 2003, which date is extendable until December 28, 2003.

As the Notice of Appeal was timely filed, as evidenced by the signed First Class Mail Certificate and the return receipt postcard, it is verily believed that the above-referenced

PATENT  
674528-2001.2

application is not abandoned, and that Applicants have until December 28, 2003, to file an Appeal Brief with the necessary Requests for Extension of Time.

It is believed that no fee is required by submission of this paper, however the Commissioner is hereby authorized to charge any required fee, including that of the Notice of Appeal, or credit any overpayment in fees, to Deposit Account 50-0320.

Respectfully submitted,

FROMMER LAWRENCE &amp; HAUG LLP

By:

  
Thomas J. Kowalski

Reg. No. 32,147

Angela M. Nigro-Collison

Reg. No. 51,107

Tel (212) 588-0800

Fax (212) 588-0500

Email [TKowalski@FLHLaw.com](mailto:TKowalski@FLHLaw.com)

Serial No. 09/742,520 File No. 64528-2001.2 By TIKAN

Title In the Matter of the Application of ASULADATE

The following due \_\_\_\_\_ in the U.S. Patent Office, was received in the Patent Office

<input type="checkbox"/> Affidavit	<input type="checkbox"/> Declaration	<input type="checkbox"/> Express Mail Mailing Certificate
<input type="checkbox"/> Amendment		<input type="checkbox"/> (separate sheet)
<input type="checkbox"/> Preliminary Amendment		<input checked="" type="checkbox"/> Check No. <u>26533</u> for \$ <u>160.00</u>
<input type="checkbox"/> Amendment After Final Rejection		<input type="checkbox"/> Deposit Account Order Form
<input type="checkbox"/> Request for Extension of Time		<input type="checkbox"/> Drawing _____ Sheet(s)
<input type="checkbox"/> Provisional Patent Application		<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Application for Patent, including		<input type="checkbox"/> PTO Form 1449
_____ Pages Specification _____ Claims		<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Declaration <input type="checkbox"/> Oath <input type="checkbox"/> Power		<input type="checkbox"/> Brief <input type="checkbox"/> Letter
<input type="checkbox"/> Request for Filing Continuation or Divisional		<input type="checkbox"/> Application for TM Registration
Application _____ sheets, in duplicate		Including _____ Specimen
<input type="checkbox"/> File Wrapper Continuation Patent Application		<input type="checkbox"/> Status Request <input checked="" type="checkbox"/> Notice of Appeal
_____ sheets, in duplicate		<input type="checkbox"/> Petition <input type="checkbox"/> Response
<input type="checkbox"/> PCT Request _____ sheets, including		<input type="checkbox"/> Priority Document
<input type="checkbox"/> Transmittal Letter to the US/RO		<input type="checkbox"/> Small Entity Declaration
<input type="checkbox"/> Assignment <input type="checkbox"/> Recordation Cover Sheet		

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MAY 28 2003